Minute No. 121
Report - Standing Policy Committee on Downtown Development – November 30, 2007

Item No. 1 **Closing of the Public Lane in the Block Bounded by Spence and Young Streets and Portage and Ellice Avenues**
File DAC 20/2007

COUNCIL DECISION:

Council concurred in the recommendations of the Standing Policy Committee on Downtown Development and adopted the following:

1. That the lane closing shown on Misc. Plan No. 7234/1 be approved and the land declared surplus to the City's needs.

2. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary by-law for submission to Council to effect the closing in accordance with Misc. Plan No. 7234/1, subject to the approval of the Standing Policy Committee on Downtown Development of the terms and conditions of the conveyance of the land.

3. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Report - Standing Policy Committee on Downtown Development – November 30, 2007

DECISION MAKING HISTORY:

Moved by Councillor Wyatt,

That the recommendation of the Standing Policy Committee on Downtown Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On December 12, 2007, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Downtown Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On November 30, 2007, the Standing Policy Committee on Downtown Development concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

PUBLIC HEARING SUMMARY

File:	DAC 20/2007
Before:	Standing Policy Committee on Downtown Development Councillor Wyatt, Chairperson Councillor Gerbasi Councillor Steeves Councillor Swandel
Public Hearing:	November 30, 2007 West Committee Room Council Building, 510 Main Street
Applicant:	University of Winnipeg
Premises Affected:	Public Lane in the Block Bounded by Spence and Young Streets and Portage and Ellice Avenues
Exhibits Filed:	1. Report from the Acting Director of Planning, Property and Development dated November 8, 2007 2. Inspection Report

REPRESENTATIONS:

In Support:
Jeffrey M. Frank
Jennifer Rattry, University of Winnipeg

In Opposition:
Nil

For Information:
Nil

For the City:
Mr. J. Paterson, Acting Director of Planning, Property and Development
Mr. B. Thorgrimson, Acting Manager of Economic Development, Planning, Property and Development Department

Exhibit "1" referred to in File DAC 20/2007

RE: **DAC 20/2007 – PROPOSED CLOSING OF THE PUBLIC LANE IN THE BLOCK BOUNDED BY SPENCE AND YOUNG STREETS AND PORTAGE AND ELLICE AVENUES**

FOR SUBMISSION TO: The Standing Policy Committee on Downtown Development

ORIGINAL REPORT SIGNED BY: Acting Director of Planning, Property and Development

REPORT DATE: November 8, 2007

RECOMMENDATION:

1. **That the proposed lane closing as shown on Misc. Plan No. 7234/1 be approved and that the land be declared surplus to the City's needs.**

2. **That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary by-law for submission to Council to effect the closing in accordance with Misc. Plan No. 7234/1, subject to the approval of the Standing Policy Committee on Downtown Development of the terms and conditions of the conveyance of the land.**

3. **That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.**

Report Summary

Key Issues:

The University of Winnipeg wishes to acquire the lane to consolidate its holdings on either side of the lane and to permit development of a new private road to accommodate a new transit corridor. The balance of the lane will be used as a private road for the immediate future.

Implications of the Recommendation(s):

General Implications
(x) None

( ) For the organization overall and/or for other departments

( ) For the community and/or organizations external to the City

( ) Involves a multi-year contract

Comment(s):

Policy Implications
(x) No

( ) Yes

Comment(s):

Regulatory Implications
(x) None

( ) Eliminates or reduces regulatory impact

( ) Proposes regulatory impact

Comment(s):

Environmental Implications
(x) No

( ) Yes

Comment(s):

Human Resources Implications
(x) No

( ) Yes

Comment(s):

Financial Implications
( ) Within approved current and/or capital budget

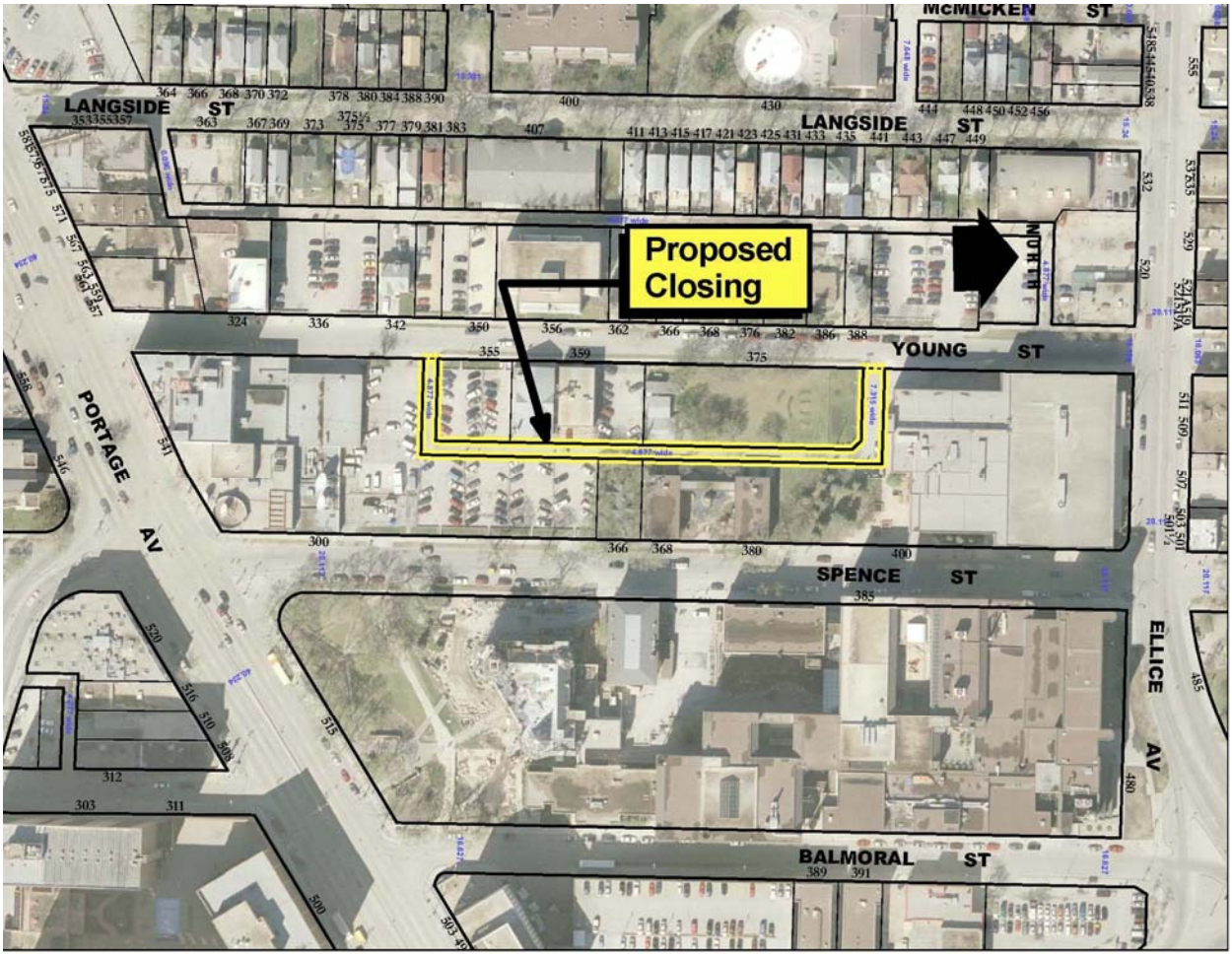
( ) Current and/or capital budget adjustment required

Comment(s): All costs related to this proposal will be the responsibility of the Applicant. There are no financial implications for the City of Winnipeg.

Report

REASON FOR THE REPORT:

All street and lane closings within the boundaries of the Downtown Winnipeg area, as defined by By-Law 100/2004, require the consideration of the Standing Policy Committee on Downtown Development.



HISTORY:

The Planning, Property and Development Department has received a request from the University of Winnipeg to purchase the public lane identified as “Proposed Closing” on the attached Misc. Plan No. 7234/1. In his letter applying for the closing, Mr. Jeffrey Frank, the architect acting on the University’s behalf, made the following statements:

"The University of Winnipeg is seeking to acquire the laneway property to consolidate its holdings on either side of the lane and to permit development of a new private road to accommodate a new transit corridor. The other affected landowners, CBC and the owner of 366 Spence have indicated their support of this proposal.

This proposed concept is the result of an ongoing dialog and working relationship with various City Departments. Transit, Public Works, Planning, Downtown Planning and Real Estate have been involved in discussions over the course of the past year. The concept envisions developing a new east-west road linking Young Street and Spence Street to serve as a transit corridor. This would replace the former concept of using Spence for this purpose. The existing lane would be retained and used to access the existing U of W daycare in MacNamara Hall and the residence at 366 Spence until such time as these are relocated. Young Street will be improved from Portage Avenue to the new road as required by Transit and Public Works. Young Street in front of private residences and the MHRC block will remain unchanged. Spence Street pavement between the new road and the existing access south of Duckworth Centre will be closed to vehicles, other than emergency vehicles. The design of these improvements will be developed in consultation and with the approval of appropriate City of Winnipeg departments."

DISCUSSION:

Administrative Approval

The proposal has been considered by all affected City departments and public utilities. There are no administrative objections to the closing.

The Transportation Engineering Division of the Public Works Department advises that the applicant will be responsible for the removal of the existing lane turn-outs from Young Street and the restoration of the curb, boulevard and sidewalk. If the existing lane is to remain physically open the applicant will require Private Approach Approval for the lane turn-outs to remain as private approaches after the lane is legally closed.

Easements

Manitoba Hydro and MTS will require an easement for an existing utility pole line in the lane. It is likely that Shaw shares this pole line with MTS.

Future Closing of Spence Street

The applicant refers to plans to close Spence Street to vehicular traffic once the new Transit corridor is in operation.

The Legal Services Division of the Internal Services Department has advised in similar situations that The Highway Traffic Act gives a Traffic Authority (in this case, the Standing Policy Committee on Public Works) the right to prohibit vehicles from using a street for one year only. If this prohibition is to last longer than one year it can only be exercised by Council through a by-law.

Legal Services has further advised that prohibiting vehicular traffic on a street amounts to a *de facto* closing of the street, and that the Public Service should recommend to Council that the street be closed in accordance with the provisions of The City of Winnipeg Charter so that a public hearing may be held.

Financial Impact Statement

Date: November 6, 2007

Project Name:

DAC 20/2007 – PROPOSED CLOSING OF THE PUBLIC LANE IN THE BLOCK BOUNDED BY SPENCE AND YOUNG STREETS AND PORTAGE AND ELLICE AVENUES

COMMENTS:

All costs related to this proposal will be the responsibility of the Applicant. There are no financial implications for the City of Winnipeg.

"Original Signed By"
Mike McGinn, CA
Manager of Finance

IN PREPARING THIS REPORT THERE WAS:

Internal Consultation With and Concurrence By:

There was no internal consultation involved in the preparation of this report.

External Consultation With:

Centra Gas, Manitoba Hydro, MTS Allstream, Shaw Cable

THIS REPORT SUBMITTED BY:

Department Planning, Property and Development
Division Development and Inspections
Prepared by: Glenn Halldorson, Real Property Officer
PPD File No. 4254/22 Vol 2

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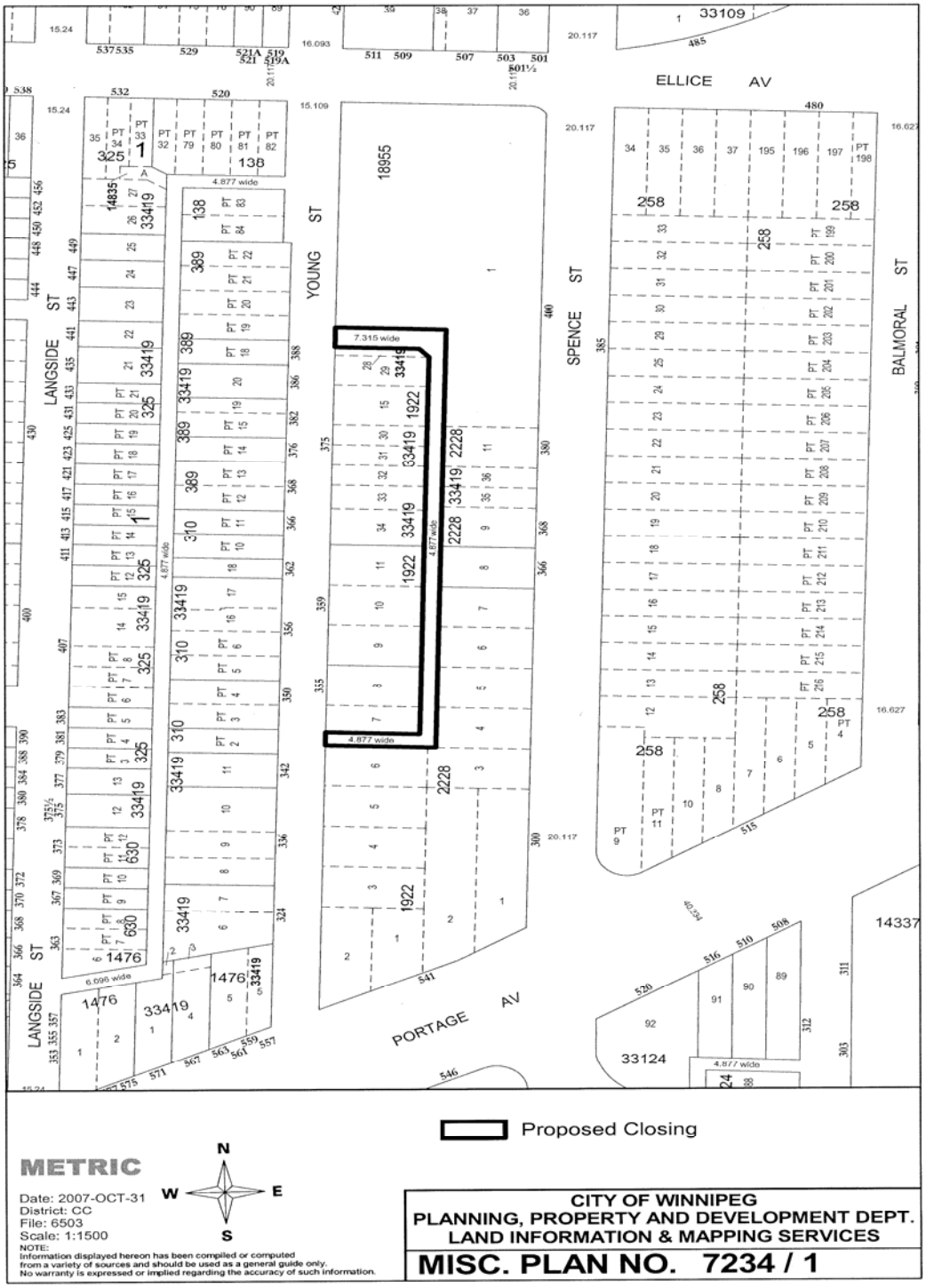
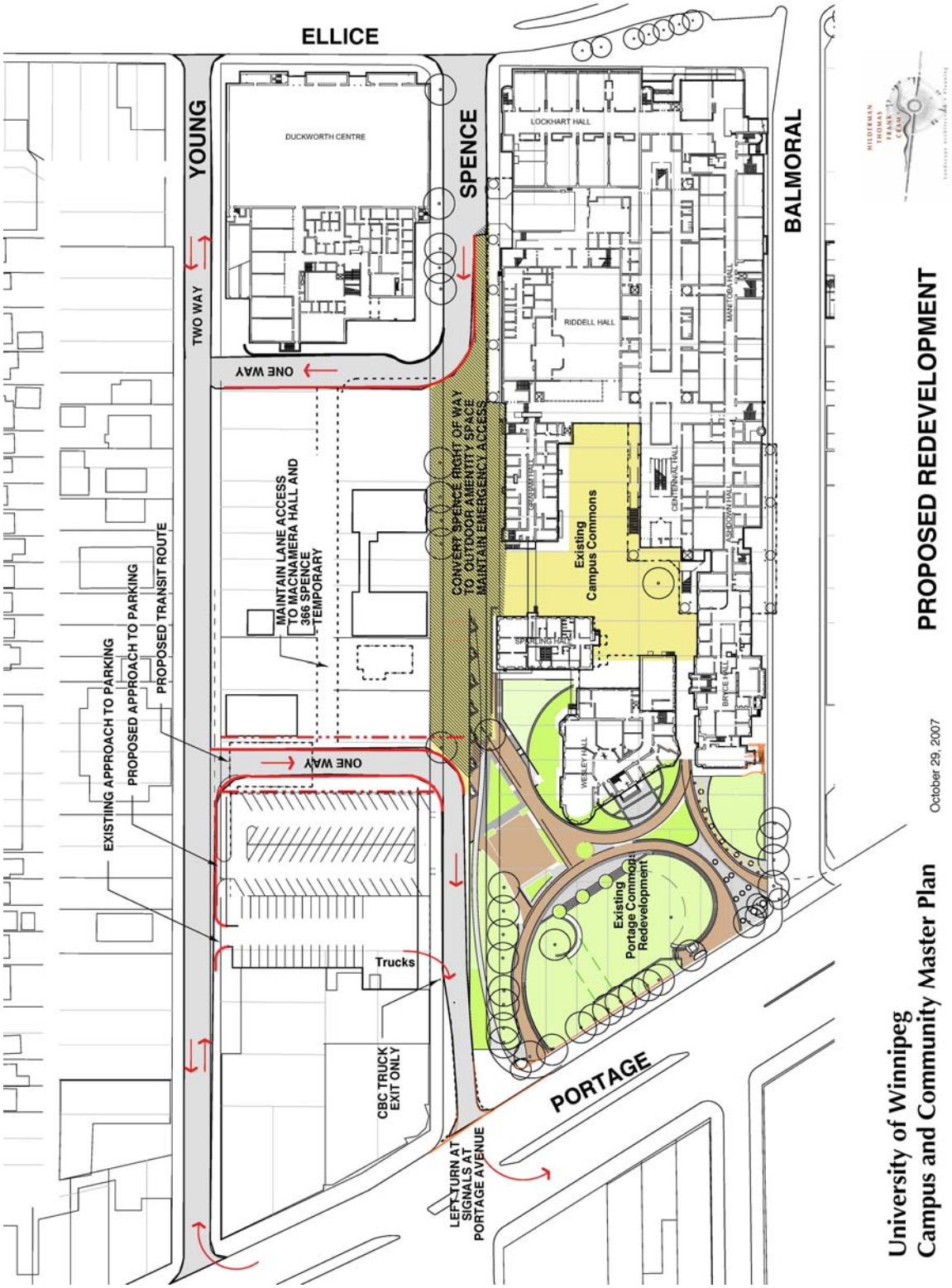

ELLICE AV
YOUNG ST
SPENCE ST
BALMORAL ST
LANGSIDE ST
PORTAGE AV
7.315 wide
4.877 wide
6.096 wide
Proposed Closing
METRIC
Date: 2007-OCT-31
District: CC
File: 6503
Scale: 1:1500
NOTE:
Information displayed hereon has been compiled or computed from a variety of sources and should be used as a general guide only. No warranty is expressed or implied regarding the accuracy of such information.
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 7234 / 1


ELLICE
YOUNG
SPENCE
BALMORAL
PORTAGE
DUCKWORTH CENTRE
LOCKHART HALL
RIDDELL HALL
MANITOBA HALL
TWO WAY
ONE WAY
ONE WAY
MAINTAIN LANE ACCESS TO MACNAMERA HALL AND 366 SPENCE TEMPORARY
CONVERT SPENCE RIGHT OF WAY TO OUTDOOR AMENITY SPACE MAINTAIN EMERGENCY ACCESS
Existing Campus Commons
Existing Portage Common Redevelopment
EXISTING APPROACH TO PARKING
PROPOSED APPROACH TO PARKING
PROPOSED TRANSIT ROUTE
Trucks
CBC TRUCK EXIT ONLY
LEFT TURN AT SIGNALS AT PORTAGE AVENUE
PROPOSED REDEVELOPMENT
October 29, 2007
University of Winnipeg
Campus and Community Master Plan